

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL WHITFIELD,

Plaintiff,

v.

MEDICAL PERSONNEL, *et al.*,

Defendants.

Case No. 2:25-cv-00602-ART-MDC

ORDER

On April 2, 2025, pro se plaintiff Michael Whitfield, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Plaintiff's application to proceed *in forma pauperis* is incomplete because **Plaintiff's financial certificate is not complete, and Plaintiff did not include an inmate trust fund account statement for the previous six-month period with the application.** The Court will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to correct these deficiencies **by June 9, 2025.**<sup>1</sup>

**I. DISCUSSION**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate

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<sup>1</sup> Plaintiff included a copy of request for a financial certificate with his application to proceed *in forma pauperis*. (ECF No. 1 at 4). The Court is aware that it sometimes takes several months for NDOC officials to process a request for a financial certificate. If Plaintiff does not receive a financial certificate and inmate trust fund account statement for the previous six months by June 9, 2025, he may file a request for an extension.

1 must submit **all three** of the following documents to the Court: (1) a completed  
2 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
3 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a  
4 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is  
5 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
6 **inmate's prison or jail trust fund account statement for the previous six-month**  
7 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
8 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
9 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

10 As explained above, Plaintiff's application to proceed *in forma pauperis* is  
11 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*  
12 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing  
13 fee or file a new fully complete application to proceed *in forma pauperis* with all three  
14 required documents.

## 15 **II. CONCLUSION**

16 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
17 is denied without prejudice.

18 It is further ordered that Plaintiff has **until June 9, 2025**, to either pay the full \$405  
19 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
20 required documents: (1) a completed application with the inmate's two signatures on page  
21 3, (2) a completed financial certificate that is signed both by the inmate and the prison or  
22 jail official, and (3) a copy of the inmate's trust fund account statement for the previous  
23 six-month period.

24 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
25 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
26 to refile the case with the Court, under a new case number, when Plaintiff can file a  
27 complete application to proceed *in forma pauperis* or pay the required filing fee.

1 The Clerk of the Court is directed to send Plaintiff Michael Whitfield the approved  
2 form application to proceed *in forma pauperis* for an inmate and instructions for the same  
3 and retain the complaint (ECF No. 1-1) but not file it at this time.

4 DATED: April 10, 2025.

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7 UNITED STATES MAGISTRATE JUDGE  
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